

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SAHEAM KING,

Plaintiff,

-against-

**PO JOHN J. ANTONIADES; PO
NICHOLAS GENNARO; SGT. DAVID
FRABIZIO; PO THOMAS ONEILL; and
PO JOHN ADORNETTO,**

Defendants.

Case No. 2:23-cv-06393

**AFFIRMATION IN SUPPORT OF
PLAINTIFF'S REQUEST FOR
CERTIFICATES OF DEFAULT**

I, Stephanie Panousieris, an attorney admitted to practice in this Court, and counsel for Plaintiff Saheam King, hereby affirm that the following is true and accurate, upon information, belief, and personally knowledge:

1. I am counsel for Plaintiff Saheam King, and as such, am fully familiar with the facts and circumstances described herein.

2. I make this affirmation in support of Plaintiff's request for certificates of default against PO John J. Antoniadess; PO Nicholas Gennaro; Sgt. David Frabizio; PO Thomas Oneill; and PO John Adornetto, for their failure to plead or otherwise defend this action.

3. This civil rights action was commenced in this court, pursuant to 42 U.S.C. § 1983, on August 25, 2023. *See* Doc. 1, Complaint.

4. Service was accepted by Davitrie Dixon on behalf of PO John J. Antoniadess on August 31, 2023, at 100 Veterans Hwy, Hauppauge, NY. *See* Doc. 6 (Combined Affirmations of Service) at 1. A copy of the Complaint was mailed to the same address on the same date. *Id.*

5. Service was accepted by Lorraine Dernbach on behalf of PO Nicholas Gennaro on

August 30, 2023, at the Suffolk Co. Police Department First Precinct, 555 Rte. 109, West Babylon, NY. Doc. 6 at 2. A copy of the Complaint was mailed to the same address on the same date. *Id.*

6. Service was accepted by Lorraine Dernbach on behalf of PO John Adornetto on August 30, 2023, at the Suffolk Co. Police Department First Precinct, 555 Rte. 109, West Babylon, NY. Doc. 6 at 3. A copy of the Complaint was mailed to the same address on the same date. *Id.*

7. Service was accepted by Lorraine Dernbach on behalf of PO Thomas Oneill on August 30, 2023, at the Suffolk Co. Police Department First Precinct, 555 Rte. 109, West Babylon, NY. Doc. 6 at 4. A copy of the Complaint was mailed to the same address on the same date. *Id.*

8. Service was accepted by Lorraine Dernbach on behalf of Sgt. David Fabrizio on August 30, 2023, at the Suffolk Co. Police Department First Precinct, 555 Rte. 109, West Babylon, NY. Doc. 6 at 4. A copy of the Complaint was mailed to the same address on the same date. *Id.*

9. The time for Defendants Adornetto, Frabizio, Gennaro, and Oneill to answer or otherwise move with respect to the complaint expired on September 20, 2023.

10. The time for Defendant Antoniadis to answer or otherwise move with respect to the complaint expired on September 21, 2023.

11. None of the Defendants, nor any representative on their behalf, have appeared, answered, or otherwise indicated their intent to defend this lawsuit.

12. Defendants Antoniadis, Adornetto, Frabizio, Gennaro, and Oneill are not infants or incompetent, nor are any of the Defendants presently in the military service of the United States as appears from facts in this litigation.

13. Each of these Defendants are indebted to Plaintiff Saheam King for their use of excessive force and/or failure to intervene in that use of force against Plaintiff while he was walking home on or about August 25, 2023.

14. Defendants Antoniadis and Gennaro saw Plaintiff walking lawfully down the street, turned their vehicle around, jumped out, and began tasing and otherwise assaulting Plaintiff. *See* Doc. 1, Complaint at ¶¶14–16. (cited hereinafter as “C.¶”).

15. The officers punched Plaintiff directly in the right side of his head with a closed fist before tasing him a second time. C.¶17.

16. Officers Fabrizio, Oneill, and Adornetto arrived at the location soon thereafter and joined in the assault of Plaintiff. C.¶18.

17. One of more of the defendants intentionally overtightened Plaintiff’s handcuffs, despite Plaintiff’s repeated requests for them to be loosened. C.¶20.

18. Parts of this assault were captured on bystander cell phone footage. C.¶18.


19. This use of excessive force was part of a pattern of harassment against Plaintiff by Defendants and other officers of the Suffolk County Police. C.¶¶22–24.

20. Plaintiff suffered abrasions, bruising, swelling, and pain to the face, back, and neck, and experienced chest pain as a result of the incident. C.¶¶15, 24. The taser prongs were also embedded into Plaintiff’s clothing and skin, leaving at least one puncture wound in his skin. C.¶21.

21. Plaintiff was subsequently diagnosed with cervical radicular (or “pinched nerve”), which was caused by compression and inflammation from the assault.

WHEREFORE, Plaintiff Saheam King respectfully requests that the default of PO John J. Antoniadis; PO Nicholas Gennaro; Sgt. David Frabizio; PO Thomas Oneill; and PO John Adornetto be noted and a certificate of default issued.

Dated: New York, New York
December 7, 2023



Stephanie Panousieris, Esq.